

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2000-0137-W - ORDER NO. 2000-565 ✓
JULY 12, 2000

IN RE: Petition of Duke Power, A Division of Duke)	ORDER GRANTING
Energy Corporation for Approval of the)	REQUEST TO
Transfer of Property in North Carolina.)	WITHDRAW AND
)	DENYING
)	ESTABLISHMENT OF
)	POLICY

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of the Consumer Advocate for the State of South Carolina (the Consumer Advocate) to withdraw his Petition to Intervene in this case and for Reconsideration of Commission Order No. 2000-0309. The Consumer Advocate states that Duke Power has fully cooperated in providing information which has resolved any concerns that the Consumer Advocate may have had with the request. We grant the request to withdraw.

The Consumer Advocate further states concerns with regard to what he characterizes as insufficient time to review Duke Power's filing in this matter. He further states a belief that this Commission should give potentially concerned parties adequate notice and opportunity to review all matters which require Commission approval. Accordingly, the Consumer Advocate requests that this Commission establish a policy providing for notice of all matters which require Commission approval. We decline to establish such a policy.

Although we agree that the better practice is allow for notice and opportunity to review matters, we believe that the Consumer Advocate's request is overbroad when he asks that we provide notice for all matters. Establishment by us of such a policy would go beyond even what is required by the Code of Laws of South Carolina. For example, S.C. Code Ann. Section 58-27-870 (F) (Supp.1999) specifically states that certain electric rates or tariffs may be put into effect upon Order of the Commission without notice and hearing. Accordingly, we decline to establish the policy requested by the Consumer Advocate, and hold that each matter must be examined on a case-by-case basis.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)